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REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-THIRD SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

Rapporteur: Ms. Margarita ESCOBAR LOPEZ

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1. The Commission considered agenda item 21 at its 4th meeting, on 12 March, at its 55th meeting, on 10 April, at its 59th to 61st meetings, on 14 April, and at its 70th meeting, on 18 April 1997. 1/

2. For the documents issued under agenda item 21, see annex .. to the present report. For a list of resolutions and decisions adopted by the Commission and statements by the Chairman, see annex .. to the present report.

3. At the 4th meeting, on 12 March 1997, the expert appointed by the Secretary-General to study the impact of armed conflict on children, Ms. Graça Machel, addressed the Commission.

4. At the 55th meeting, on 10 April 1997, the Special Rapporteur on the sale of children, child prostitution and child pornography, Ms. Ofelia Calcetas-Santos, introduced her reports (E/CN.4/1997/95 and Add.1-2).

5. At the same meeting, the Chairman-Rapporteur of the working group on a draft optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts, Mr. Nils Eliasson, and the Chairman-Rapporteur of the working group on a draft optional protocol to the Convention on the Rights of the Child, on the sale of children, child prostitution and child pornography, Mr. Jorge Iván Mora Godoy, introduced the reports of the respective working groups on their third session (E/CN.4/1997/96 and E/CN.4/1997/97).

6. In the general debate on agenda item 21, statements 2/ were made by the following members of the Commission: Argentina (61st), Bangladesh (59th), China (61st), Cuba (61st), Egypt (59th), Ethiopia (59th), Germany (59th), Indonesia (61st), Japan (61st), Malaysia (61st), Netherlands (on behalf of the European Union and Bulgaria, the Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia) (55th),

Nicaragua (61st), Pakistan (61st), Philippines (61st), Republic of Korea (59th), Russian Federation (61st), Sri Lanka (59th), Uganda (55th), United States of America (61st), Uruguay (61st).

7. The Commission heard statements by the observers for: Australia (59th), Belgium (60th), Costa Rica (60th), Holy See (60th), Honduras (59th), Iraq (59th), Israel (61st), Kenya (61st), Malta (59th), New Zealand (61st), Norway (61st), Peru (59th), Poland (61st), Romania (60th), Switzerland (61st), Tunisia (61st).

8. Statements were also made by the observers for the International Committee of the Red Cross (60th), the International Labour Organization (61st), the Office of the United Nations High Commissioner for Refugees (60th) and UNAIDS (60th).

9. The Commission also heard statements by the following non-governmental organizations: All China Women's Organization (60th), Christian Democrat International (61st), Commission for the Defence of Human Rights in Central America (60th), Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos (61st), Friends World Committee for Consultation (Quakers)(60th), International Association for the Defence of Religious Liberty (60th), International Association of Educators for World Peace (60th), International Federation of Red Cross and Red Crescent Societies (59th), International Federation of Social Workers (60th), International Federation of Women Lawyers (60th), International League for Human Rights (61st), International Movement for Fraternal Union among Races and Peoples (60th), International Save the Children Alliance (60th), Pax Christi International (60th), Transnational Radical Party (60th), United Towns Agency for North-South Cooperation (60th), World Federation of Methodist and Uniting Church Women (on behalf of All India Women's Conference, Anti-Slavery International, Associated Country Women of the World, Association for World Peace, Change, Defence for Children International, Education International, International Abolitionist Federation, Inter-African Committee on Traditional Practices affecting the Health of Women and Children, International Alliance of Women - Equal Rights, Equal Responsibilities, International Baccalaureate Organization, International Council of Women, International Council of Jewish Women, International Council on Social Welfare, International Federation of Social Workers, International Movement ATD Fourth World, International Pen, International Women's Tribune Centre, Lutheran World Federation, National

Council of German Women's Organizations - Federal Union of Women's Organizations, Socialist International Women, Soroptimist International, Women's International League for Peace and Freedom, Women's International Zionist Organization, World Conference on Religion and Peace, World Union of Catholic Women's Organizations, World Vision International, Zonta International, World Young Women's Christian Association, World Federation of United Nations Associations (60th), World Organization against Torture (60th), World Peace Council (60th).

(a) Status of the Convention on the Rights of the Child

10. In the general debate on agenda item 21 (a), statements 2/ were made by the following members of the Commission: Bangladesh (59th), Brazil (59th), China (61st), Cuba (61st), Dominican Republic (55th), Ethiopia (59th), Japan (61st), Indonesia (61st), Malaysia (61st), Nepal (59th), Netherlands (on behalf of the European Union and Bulgaria, the Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia) (55th), Philippines (61st), Russian Federation (61st), Sri Lanka (59th), Uganda (55th).

11. The Commission heard statements by the observers for: Honduras (59th), Israel (61st), Kenya (61st), Morocco (61st), New Zealand (61st), Norway (61st), Romania (60th), Switzerland (61st), Tunisia (61st).

12. A statement was also made by the observer for UNAIDS (60th).

13. The Commission also heard statements by the following non-governmental organizations: All China Women's Federation (60th), World Organization against Torture (60th).

(b) Report of the Special Rapporteur on the sale of children, child prostitution and child pornography

14. In the general debate on agenda item 21 (b), statements 2/ were made by the following members of the Commission: Argentina (61st), Bangladesh (59th), Czech Republic (55th), Egypt (59th), Germany (59th), Netherlands (on behalf of the European Union and Bulgaria, the Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia) (55th), Pakistan (61st), Republic of Korea (59th), Sri Lanka (59th),

15. The Commission heard statements by the observers for Norway (61st) and Tunisia (61st).

16. The Commission also heard statements by the following non-governmental organization: World Federation of Methodist and Uniting Church Women (60th).

(c) Programme of Action for the Elimination of the xploitation of Child Labour

17. In the general debate on agenda item 21 (c), statements 2/ were made by the following members of the Commission: Argentina (61st), Brazil (59th), China (61st), Indonesia (61st), Japan (61st), Malaysia (61st), Nepal (59th) Pakistan (61st), Philippines (61st), United States of America (61st).

18. The Commission heard statements by the observers for: Australia (59th), Belgium (60th), Norway (61st), Poland (61st).

19. A statement was also made by the observer for the International Labour Organization (61st).

20. The Commission also heard statements by the following non-governmental organizations: Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos (61st), Indian Council of Education (61st), International Confederation of Free Trade Unions (60th), International Institute for Non-Aligned Studies (60th), International Progress Organization (60th), Transnational Radical Party (60th).

(d) Question of a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, as well as the basic measures needed for their prevention and eradication

21. In the general debate on agenda item 21 (d), statements 2/ were made by the following members of the Commission: Argentina (61st), Bangladesh (59th), Brazil (59th), China (61st), Cuba (61st), Egypt (59th), Germany (59th), Indonesia (61st), Japan (61st), Malaysia (61st), Nepal (59th), Nicaragua (61st), Pakistan (61st), Republic of Korea (59th), Russian Federation (61st), Sri Lanka (59th).

22. The Commission heard statements by the observers for: Australia (59th), Belgium (60th), Costa Rica (60th), Holy See (60th), Morocco (61st), New Zealand (61st), Norway (61st), Peru (59th), Switzerland (61st), Tunisia (61st).

23. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (60th), International Federation of Women Lawyers (60th), International Institute for Non-Aligned Studies (60th), International Progress Organization (60th)

Rights of the child

24. At the 70th meeting, on 18 April 1997, the representative of the Netherlands introduced draft resolution E/CN.4/1997/L.102/Rev.1, sponsored by

Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Canada, Cape Verde, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Finland, France, Germany, Greece, Guatemala, Iceland, Ireland, Israel, Italy, Liechtenstein, Luxembourg, Mexico, Netherlands, Nicaragua, Norway, Paraguay, Peru, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela and Zambia.

Angola, Belarus, Benin, Bolivia, Bulgaria, Croatia, Equatorial Guinea, Estonia, Haiti, India, Japan, Latvia, Madagascar, Malta, Nepal, Nigeria, the Philippines, the Republic of Korea, the Russian Federation, Senegal, the former Yugoslav Republic of Macedonia, Tunisia, Ukraine and Zimbabwe subsequently joined the sponsors.

25. The representative of the Netherlands orally revised the draft resolution by replacing, in operative paragraph 3 (b), "disabled children" by "children with disabilities".

26. The amendments to draft resolution E/CN.4/1997/L.102/Rev.1, proposed by the delegation of the Philippines (E/CN.4/1997/L.111), were withdrawn. The proposed amendments read as follows:

"1. Notes, with concern, the large numbers of children who have become disabled physically or mentally, or both, as a consequence, inter alia, of poverty, disease, disasters, armed conflict and all forms of violence;

"2. Recognizes the need for special attention to be directed towards children with disabilities and their families or other caretakers;

"3. Invites Governments, concerned United Nations specialized bodies and agencies including the United Nations Children's Fund, the World Health Organization and the United Nations Educational, Scientific and Cultural Organization, and non-governmental organizations, especially of persons with disabilities, to conduct awareness-raising activities with a view to combatting and overcoming discrimination directed against children with disabilities, and to continue to mainstream children with disabilities in their respective programme activities;

"4. Emphasizes the right of children with disabilities to education and to the enjoyment of the highest attainable standard of physical and mental health and urges Governments to ensure provision of equal access to schools and to comprehensive health services and the adoption of holistic approaches

towards the total well-being of all children with disabilities, particularly children at highest risk, including refugees, displaced children, migrant children, children living in settings of violence and its immediate aftermath, those living in disaster areas, street children and children in squatter colonies;

"5. Requests the Committee on the Rights of the Child, in monitoring the implementation of the Convention on the Rights of the Child, to pay attention to the special needs of children with disabilities, and requests the Special Rapporteur on the sale of children, child prostitution and child pornography, within the framework of her mandate, to include information on children with disabilities in her report to the Commission at its fifty-fourth session."

27. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

28. The draft resolution, as orally revised, was adopted without a vote. The representative of Uruguay made a statement in connection with the resolution after its adoption.

29. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/78.